

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : Richard J. Mitro et al  
Serial No. : 10/824,195  
Filed : April 14, 2004  
Title : **TUNABLE CUTTING DEVICE**  
Docket : GAT 0087 PA/40304.173  
Confirm. No. : 5883  
Art Unit : 3724

EFS Web Electronic Submission  
June 19, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Response to Elections/Restrictions

In response to the Office Action of May 24, 2006, applicant hereby elects group I and species B, G, and H for substantive examination, with traverse. Claims 1-6, 8-14, 18-29, 31-33, and 35-38 read on the elected species. Applicants note that species C does not appear to be a disclosed species. Rather, the examiner appears to have misread claim 9 to recite a 20kHz oscillation frequency, as opposed to an oscillation frequency that can vary over a range of about 20kHz.

This election is made with traverse. 37 CFR 1.141 provides that an allowable generic claim may link a reasonable number of species embraced thereby. In the present case, independent claim 1 is generic to the species identified in the Office Action and applicant respectfully submits that the nature and number of the species identified in the Office Action represent a reasonable use of dependent claims to identify different aspects of the present invention. For example, species A-D represent different oscillation frequency ranges. Similarly, species E-G represent different types of indication signals (audible and visual). Species H and I represent different support platform types. Applicants respectfully submit that examination of claims directed to these species would not introduce an undue burden on the examiner.

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Respectfully submitted,  
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